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11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF ARIZONA**

13
14 Jessica Kahraman, et al.,
15 Plaintiffs,
16 v.

17 State of Arizona, et al.,
18 Defendants.

Case No.: 2:22-cv-00375-PHX-SRB

**MOTION FOR LEAVE TO EXCEED
LRCiv 7.2(e) PAGE LIMIT IN
PLAINTIFFS' RESPONSE IN
OPPOSITION TO STATE
DEFENDANTS MOTION FOR
SUMMARY JUDGMENT**

(Hon. Susan R. Bolton)

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21 Pursuant to LRCiv 7.2(e), Plaintiffs hereby motion the Court for leave to exceed the
22 seventeen (17) page limit for Plaintiffs' Response in Opposition to State Defendants
23 Motion for Summary Judgment (Doc. 229). Although the motion (Doc. 216) is based on
24 well-known legal doctrines, such as claim preclusion, issue preclusion, *Rooker-Feldman*,
25 causation, and the failure of evidence to sustain the claims asserted by Plaintiffs, it is
26 confusingly overlapping, repetitive, and dense such that it is difficult to discern the factual
27 and legal bases for its arguments. Problematically, the motion (and its accompanying
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statement of facts) does not set out any of the substantive facts pertinent to Plaintiffs' claims. These characteristics make it necessary for Plaintiffs to be more comprehensive with pertinent substantive facts, and responsive law and arguments than might otherwise be necessary. Due to the number, length, and nature of the arguments raised in State Defendants' motion, and despite assiduous edits over six versions of the response, the response as filed is 28.5 pages, not including the signature block and service certification. Because the motion does not include any of the substantive facts pertinent to Plaintiffs' claims, the response's Background section itself is nearly eight (8) pages long. Plaintiffs contend these 8 pages are necessary facts that should not count towards the presumptive limit per the local rules, in which case the arguments span approximately 20 pages, just slightly over the 17-page presumptive limit. Again, Plaintiffs believe the extra pages are necessary to adequately respond to the motion and to include a comprehensive discussion of the facts and law needed to oppose the potentially dispositive arguments made in the motion. Plaintiffs note that they are in substantial compliance with the 10-page limit for their statements of facts (it is 10.5 pages), a notable accomplishment given that State Defendants' statement of facts, to which Plaintiffs are required to respond before setting forth their own facts, spans 89 paragraphs over 10 pages and does not include any substantive facts pertinent to Plaintiffs' substantive claims (State Defendants' focus exclusively on procedural facts from the dependency proceedings at issue). Consequently, Plaintiffs request leave to exceed the presumptive page limit as for the Court to allow the response in the form and length filed at Doc. 229. Plaintiffs contacted State Defendants' council by email for their position on this motion and they have no objection.

A proposed Order is also submitted for the Court's review.

RESPECTFULLY SUBMITTED this 25th day of February 2025.

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By /s/ Thomas A. Connelly
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CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2025, I electronically transmitted the foregoing document to be filed electronically with the Clerk's Office through the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to be served on all counsel of record via the Court's CM/ECF system.

/s/ Thomas A. Connelly